

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF TEXAS,  
DALLAS DIVISION

VIBRADERM, INC.,

Plaintiff,

V.

Civil Action No. 3-07CV1331-M

MULTIDERM, L.L.C. SUCCESSOR TO MULTIDERM, INC., TIMOTHY G. CARROLL, INDIVIDUALLY AND AS AGENT FOR MULTIDERM, INC. AND MULTIDERM, L.L.C.; JAMES JANSING, INDIVIDUALLY AND AS AGENT FOR MULTIDERM, L.L.C. DOES 1, AND 2 AS AGENTS FOR MULTIDERM, L.L.C.; AND DOES "X" INDIVIDUALLY AND AS AGENTS FOR MULTIDERM, L.L.C.

Defendants.

**STIPULATION OF DISMISSAL**

COMES NOW, Plaintiff Vibraderm, Inc. and Defendants Multiderm, L.L.C. and Timothy G. Carroll, by and through counsel, and hereby stipulate to a dismissal of all claims of Plaintiff without prejudice to refile same in a state or federal court having jurisdiction over the matter. The parties further stipulate that all counterclaims of Defendants are dismissed without prejudice to refile same. No prejudice shall attach to any claim or defense, and the parties stipulate that Fed. R. Civ. Pro. Rule 41(a)(1)(B) does not apply. The parties further stipulate that pursuant to Fed. R. Civ. Pro. Rule 41(d) each party shall bear their own costs incurred in this action.

Respectfully Submitted,

s/ David J. Moraine  
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**ATTORNEYS FOR PLAINTIFF VIBRADERM, INC.**

and

s/ James W. Holbrook, III  
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**ATTORNEYS FOR MULTIDERMA, L.L.C. AND  
TIMOTHY G. CARROLL**

SO ORDERED:

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Barbara M. G. Lynn  
United States District Judge